IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No.1183 of 2006
Date of Decision:- 27.11.2006

Gurmail Singh ....Petitioner
through
Mr.B.S.Bhalla, Advocate

vs.

Mandeep Singh ....Respondent
through
Mr.S.C.Pathela, Advocate.

***

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

***

SURYA KANT, J.

After hearing learned counsel for the parties at some length and going through the additional affidavit filed by the respondent, it appears that the respondent has been endeavouring to dispose of all the election petitions pending before him by giving short dates and, the election petition in question is also no exception. From the zimni orders Annexures R-1, R-2 and R-3, it is further apparent that finally no prejudice has been caused to the petitioner as the recount of votes could not take place in the light of the interim order passed by this Court. That apart, it is stated that the order directing recount of the votes, has already been impugned by the petitioner before this Court in a revision petition and the matter is, thus, *sub-judice*.

In this view of the matter and keeping in view the fact that no definite opinion with regard to deliberate and wilful breach of the interim order passed by this Court at the hands of the respondent can be formed, I do not deem it appropriate to continue with these proceedings which are accordingly dropped. The petition stands disposed of.

Rule discharged.

November 27, 2006 **(SURYA KANT)**
poonam **JUDGE**